

MELINDA HAAG (CABN 132612)  
United States Attorney

MIRANDA KANE (CABN 150630)  
Chief, Criminal Division

BRIGID S. MARTIN (CABN 231705)  
Assistant United States Attorney  
1301 Clay Street, Suite 340S  
Oakland, CA 94612  
Telephone: (510) 637-3697  
Fax: (510) 637-3724  
E-Mail: brigid.martin@usdoj.gov

Attorneys for United States of America

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
DIONTE HOUFF, et al.,  
  
Defendants.

No. CR 12-00574-01 PJH

STIPULATION AND ~~PROPOSED~~  
ORDER CONTINUING HEARING AND  
EXCLUDING TIME UNDER THE  
SPEEDY TRIAL ACT FROM AUGUST  
10, 2012 THROUGH AUGUST 22, 2012

STIPULATION

On August 1, 2012, the parties appeared before the Court. At the request fo defense counsel, the Court set an appearance for defendant Dionte Houff on August 10, 2012, for status on discovery. The government and defense counsel have agreed to meet in an effort to reach an agreed upon protective order to govern discovery in this case. Prior to reaching an agreement on the protective order, the government has invited defense counsel to review evidence in the government's office. The government and counsel for both defendants in this case plan to meet and confer on Friday, August 10, 2012, when all parties are available. As such, the parties

STIP. AND PROP. ORDER  
CR 12-00574-01 PJH

1 stipulate and agree to continue the hearing in the above-captioned matter until the appearance  
 2 already scheduled before the Honorable Phyllis J. Hamilton on Wednesday, August 22, 2012, at  
 3 1:30 p.m. Because discovery issues have yet to be resolved, time should be excluded  
 4 for effective preparation of defense counsel and continuity of defense counsel.

5 For the foregoing reasons, the parties stipulate and agree to the stated continuance and  
 6 request that time between August 10 and August 22, 2012 be excluded when computing time  
 7 under the Speedy Trial Act.

8  
 9  
 10 Dated: August 9, 2012

/s/ Brigid S. Martin  
 BRIGID S. MARTIN  
 Assistant United States Attorney

11  
 12 Dated: August 9, 2012

/s/ Juliana Drous  
 JULIANA DROUS  
 Counsel for Dionte Houff

13  
 14  
 15 ~~[PROPOSED]~~ ORDER

16 Based upon the representation of counsel and for good cause shown, the Court finds that  
 17 failing to exclude the time between August 10, 2012, and August 22, 2012, would unreasonably  
 18 deny the defendant continuity of counsel, and deny counsel the reasonable time necessary for  
 19 effective preparation, taking into account the exercise of due diligence. 18 U.S.C. §  
 20 3161(h)(7)(B)(iv). The Court further finds that the ends of justice served by excluding the time  
 21 between August 10, 2012, and August 22, 2012, from computation under the Speedy Trial Act  
 22 outweigh the best interests of the public and the defendant in a speedy trial. Therefore, IT IS  
 23 HEREBY ORDERED that the time between August 10, 2012, and August 22, 2012, shall be  
 24 excluded from computation under the Speedy Trial Act. 18 U.S.C. § 3161(h)(7)(A) and (B)(iv).  
 25

26 DATED: August 9, 2012

  
 HON. KANDIS A. WESTMORE  
 United States Magistrate Judge